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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|--------------------------------------------------------------------------------------------|-------------|----------------------|-------------------------|------------------|
| 10/826,010 | 04/16/2004 | Jeffrey R. Aamodt | 418268823US1 | 9213 |
| 45979 7590 02/26/2007 PERKINS COIE LLP/MSFT P. O. BOX 1247 SEATTLE, WA 98111-1247 | | | EXAMINER VU, THANH T | |
| | | | ART UNIT 2174 | PAPER NUMBER |
| SHORTENED STATUTORY PERIOD OF RESPONSE | | MAIL DATE | DELIVERY MODE | |
| 3 MONTHS | | 02/26/2007 | PAPER | |

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

| | | | |
|------------------------------|-----------------|---------------|--|
| Office Action Summary | Application No. | Applicant(s) | |
| | 10/826,010 | AAMODT ET AL. | |
| | Examiner | Art Unit | |
| | Thanh T. Vu | 2174 | |

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 16 April 2004.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 15-34 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 15-34 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|-----------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 112

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claim 15 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

The term "substantially" in claim 15 is a relative term which renders the claim indefinite. The term "substantially" is not defined by the claim, the specification does not provide a standard for ascertaining the requisite degree, and one of ordinary skill in the art would not be reasonably apprised of the scope of the invention.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 15-34 are rejected under 35 U.S.C. 103(a) as being unpatentable over Walker et al. ("Walker", U.S. Pat. No. 6,594,696) and Steele et al. ("Steele", U.S. Pat. No. 5,973,694).

Per claim 15, Walker teaches a method for generating a network diagram with nodes at different magnification levels comprising the steps of:

displaying one or more nodes of a network diagram (fig. 2);

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determining whether a mouse pointer is positioned in a predefined region containing a node (col. 4, lines 48-55);

determining whether node data is visible to a user (col. 4, lines 13-18).

Although Walker teaches in response to a mouse pointer intersecting the predefined region, displaying more detail information of one or more of the nodes in a network diagram; and in response to a mouse pointer leaving the predefined region, remove the detailed information from the display (fig. 6; steps 105-110), Walker does not specifically teach in response to a mouse pointer intersecting the predefined region, displaying one or more of the nodes at a different magnification level relative to other nodes in the network diagram; and in response to a mouse pointer leaving the predefined region, displaying the one or more nodes at a magnification level that is substantially the same for nodes within the network diagram that are not traversed by the mouse pointer. However, Steele teaches in response to a mouse pointer intersecting the predefined region, displaying one or more of the nodes at a different magnification level relative to other nodes; and in response to a mouse pointer leaving the predefined region, displaying the one or more nodes at a magnification level that is substantially the same for nodes that are not traversed by the mouse pointer (col. 4, lines 14-19; col. 5, lines 41-44). Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to include the teaching of magnifying a predefined region as taught by Steele in the invention of Walker in order to provide the user to dynamic graphic display for visually indicating a position of a cursor means on the display (col. 2, lines 15-18).

Per claim 16, Walker and Steele teach the method of claim 15. Walker further teaches wherein the step of determining whether node data is visible to a user further comprises the step of determining if a zoom factor is less than a predetermined threshold (col. 4, lines 13-18).

Per claim 17, Walker and Steele teach the method of claim 15. Walker further teaches wherein the step of determining whether node data is visible to a user further comprises the step of determining if a predetermined layout has been selected for a network diagram (col. 4, lines 7-13; *network topology identifying layout of network items*).

Per claim 18, Walker and Steele teach the method of claim 15. Steele teaches wherein the step of displaying one or more nodes at a different magnification level relative to other nodes in a network diagram further comprises the step of displaying the one or more nodes at an increased magnification level relative to the other nodes within the network diagram ((col. 4, lines 14-19; col. 5, lines 41-54; *enlargement of an icon*).

Per claim 19, Walker and Steele teach the method of Claim 15. Steele further teaches comprising determining whether a magnified node has been displayed for a predetermined length of time (col. 6, lines 47-51).

Per claim 20, Walker and Steele teach the method of Claim 17. Walker further teaches wherein the predetermined layout comprises an ID only display mode (col. 4, lines 20-24; col. 5, lines 5-10).

Per claim 21, Walker and Steele teach the method of Claim 15. Walker further teaches wherein the predefined region comprises a drawing area containing a plurality of nodes (fig. 2; col. 4, lines 7-13).

Per claim 22, Walker and Steele teach the method of Claim 15. Walker further teaches wherein determining whether node data is visible to a user further comprises determining whether the network diagram is being scaled for display (col. 4, lines 13-18).

Per claim 23, Walker and Steele teach the method of Claim 15. Steele further teaches comprising determining whether the mouse pointer has been positioned in the predefined region containing the node for a predetermined period of time (col. 6, lines 47-51).

Claims 24-27 are rejected under the same rationale as claims 15, 23, 22, 19 respectively.

Claim 28 is rejected under the same rationale as claim 15. In addition, the examiner interprets the screen pointer is within a predetermined distance of a node to be that the pointer is within a predetermined distance of zero from a node, which is taught by both Walker and Steele when pointer is over icon (see Walker, col. 4, lines 48-50; and Steele col. 5, lines 41-44)

Claim 29 is rejected under the same rationale as claim 19.

Per claim 30, Walker and Steele teach the computer graphics program of Claim 28. Walker further teaches determining if a screen pointer is inside a boundary region defined by a node (col. 4, lines 48-55; col. 5, lines 10-14).

Claim 31 and 32 are rejected under the same rationale as claims 16 and 22.

Per claim 33, Walker and Steele teach the computer graphics program of Claim 28. Steele teaches displaying a node at a standard size relative to other nodes displayed at a size smaller than the standard size (fig. 1; col. 5, lines 41-54).

Per claim 34, Walker and Steele teaches the computer graphics program of Claim 28. Walker teaches monitoring a position of a screen pointer further comprises monitoring a position of a screen pointer that is moveable with a mouse (col. 4, lines 48-55).

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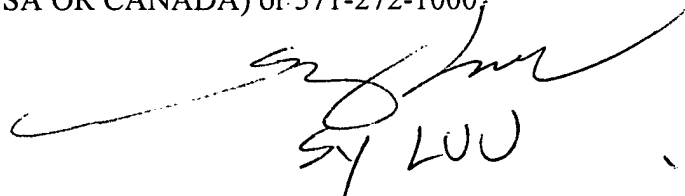
Inquiries

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Thanh T. Vu whose telephone number is (571) 272-4073. The examiner can normally be reached on Mon-Thur and every other Fri 7:30 AM - 5:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kristine L. Kincaid can be reached on (571) 272-4063. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

TV


SY LUU
PRIMARY EXAMINER